IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1658 OF 2005

Khandoba Prasanna Sakhar
Karkhana Limited & Anr. ..Petitioners.

Versus

The Commissioner of State
Excise Department & ..Respondents.

Mr. Nitin Vhatkar with Mr. G. S. Hiranandani for the Petitioners.
Mr. Pradeep Jadhav, A. G. P. for the Respondents.

CORAM: DALVEER BHANDARI, C.J. &
S.J. VAZIFDAR, J.
DATE : 7TH JULY, 2005

P.C.

This Petition has been filed on behalf of Khandoba Prasanna Sakhar Karkhana Limited, with the prayer that Respondent State Excise Commissioner and Secretary to the Government of Maharashtra, State Excise Department be directed to issue CL-I and PLL licences to the Petitioners after considering the application of the Petitioners within a reasonable time.

2. The learned Counsel for the Petitioners has drawn our attention to an order of the Division Bench dated 16th March, 2004 in

which the Court observed “It is needless to say that as and when the Government decides to grant such licences the Government will follow the prescribed mode i.e. Auction or tenders as prescribed by law”. The learned Counsel for the Petitioners states that after the order dated 16th March, 2004 the Respondents have not issued CL-I and PLL licences to any one.

3. It would not be appropriate for us to direct the Respondents to issue the licence. In the facts and circumstances of this case, we direct that as and when the State decides to issue licences and, in case, the Petitioner also applies in prescribed form, and, if his application is in accordance with law, the same would also be considered alongwith the other eligible applicants.

4. No further directions are necessary. This Petition is disposed of accordingly.

CHIEF JUSTICE

S.J. VAZIFDAR, J.